

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, March 02, 2023

TIME: 9:00 A.M.

PLACE: Room EW40

MEMBERS: Chairman Crane(13), Vice Chairman Young, Representatives Palmer, Barbieri, Holtzclaw, Scott, Andrus, Skaug, Alfieri, Allgood, Crane(12), Gannon, Green

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Young called the meeting to order at 9:00 A.M.

MOTION: **Rep. Allgood** made a motion to approve the minutes from February 24, 2023 and February 27, 2023. **Motion carried by voice vote.**

H 179: **Rep. Hawkins** presented **H 179**, legislation prohibiting ranked choice voting in Idaho. Rep. Hawkins stated many states are adopting this method of voting. Rep. Hawkins stated **H 179** will preserve Idaho's voting system.

MOTION: **Rep. Scott** made a motion to send **H 179** to the floor with a **DO PASS** recommendation.

Nina Beesley testified in support of **H 179**, stating, ranked choice voting is a more complicated process to understand and voting needs to be a clear and simple process.

**VOTE ON
MOTION:** **Chairman Young** called for a vote on the motion to send **H 179** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Hawkins** will sponsor the bill on the floor.

**UNANIMOUS
CONSENT
REQUEST:** **Chairman Young** made an unanimous consent request to adjust the agenda. There being no objection, the request was granted.

RS 30521: **Rep. Tanner** presented **RS 30521**, proposed legislation prohibiting homeowner's associations from restricting the displaying of a thin blue line or thin red line flag.

MOTION: **Rep. Crane (12)** made a motion to introduce **RS 30521**. **Motion carried by voice vote.**

H 231: **Blaine Conzatti**, presented **H 231**, legislation creating a duty of care for promoters, organizers and performers of sexual exhibitions to take reasonable steps to restrict the access of minors. Mr. Conzatti stated **H 231** would not ban sexual exhibitions, only the access of minors to events containing sexually explicit conduct.

Frida Nightz, Kelly Conner, Riley Burrows and Jessica Strebe testified in opposition of **H 231**, stating the art of drag is their business or lifestyle and this legislation will prohibit their ability to perform and it also violates their first amendment. They remarked they do tailor their performances to specific audiences and everyone's opinion on what is offensive differs from person to person.

Nina Beesley, Nicole Trakel, Heather Greenman and Joseph Greenman, testified in support of **H 231**, stating sexual exhibitions are not appropriate for children. They remarked having these types of events in city parks are a violation of their civil liberties.

Amy Dundon, ACLU of Idaho, testified in opposition of **H 231**, stating this legislation violates the 14th Amendment of the U.S. Constitution. Ms. Dundon remarked **H 231** contains vague language and promotes false and harmful stereotypes which will produce more hatred and violence against LGBTQ community.

Kacie Hoch testified in opposition of **H 231**, stating the vague definitions included in the legislation and the way it is written will harm the LGBTQ community. Ms. Hoch also remarked community standards vary widely among individuals.

Blaine Konzatti, presented closing testimony on **H 231** stating, only obscene sexual conduct, dances, gestures and accessories are prohibited. Mr. Konzatti remarked the U.S. Supreme Court has been clear that community standards are not subjective. He also clarified **H 231** does not ban sexual exhibitions, it is simply saying minors can not be in attendance.

MOTION: **Rep. Alfieri** made a motion to **HOLD H 231** in committee. **Motion carried by voice vote.**

RS 30534: **Blaine Konzatti** presented **RS 30534**, proposed legislation to correct a clerical error in **H 231**.

MOTION: **Rep. Crane (13)** made a motion to introduce **RS 30534** and recommend it be sent directly to the Second Reading Calendar.

SUBSTITUTE MOTION: **Rep. Gannon** made a substitute motion to introduce **RS 30534** with the following changes: on Page 1, Line 20, deleting the word "promotes" and on Page 2, deleting Lines 20, 21 and 22. **Motion failed by voice vote.**

VOTE ON ORIGINAL MOTION: **Chairman Young** called for a vote on the original motion to introduce **RS 30534** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Green** requested to be recorded as voting **NAY**. **Rep. Crane (13)** will sponsor the bill on the floor.

Representative Young
Chair

Lisa Hendricks
Secretary